

48



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/594,284	06/15/2000	Yoji Kawamoto	SONY-T0718	9179

7590

01/06/2005

SONNENSCHN NATH & ROSENTHAL
P.O. BOX 061080
WACKER DRIVE STATION - SEARS TOWER
CHICAGO, IL 60606-1080

EXAMINER

DELGADO, MICHAEL A

ART UNIT	PAPER NUMBER
----------	--------------

2144

DATE MAILED: 01/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/594,284	Applicant(s) KAWAMOTO ET AL.	
	Examiner Michael S. A. Delgado	Art Unit 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13, 14, 17, 18 and 20-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-14, 17-18, and 20-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/13/2004 has been entered.

IN THECAIMS:

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 13-14, 17-18, and 20-27 rejected under 35 U.S.C. 102(b) as being anticipated by US 5,717,923 by Dedrick.

In claim 13, Dedrick teaches about a user information processing system having a terminal unit “client system-personal computer” employed by a user and a server “metering server” to which said terminal unit can have access, said system comprising (Fig 1) (Col 2, lines 60-65):

said terminal unit for accumulating terminal use record information upon use of said terminal unit by said user and the profile information of said user generated on the basis of said

Art Unit: 2144

terminal use record information “client activities monitoring” , wherein at least one of said use record information and said profile information includes identifying Information for said terminal unit (Col 5, lines 20-40) (Col 5, lines 50-60); (The session manager has to know the identity of the terminal (IP source address) in order to setup a session between the terminal and server).

said server for producing said profile information on the basis of said accumulated terminal use record information (Col 9, lines 25-35); and

storing means “personal profile database 27” detachably provided in said terminal unit for storing at least one of said use record information and said profile Information (Col 5, lines 50-65).

In claim 14, Dedrick teaches about a terminal unit comprising:

use record information writing means for writing use record information used by the user (Col 5, lines 50-65);

transmitting means “session manager” for transmitting said use record information “personal profile” accumulated in storing means “personal profile database 27” to profile information generating means remote from the terminal unit for every prescribed timing, wherein said storing means is detachably provided in said terminal unit (Col 5, lines 20-35) (Col 6, lines 5-15) (Col 9, lines 25-35);

profile information writing means for receiving the profile information of said user based on said use record information which is transmitted from said profile information generating means and writing said received profile Information in said storing means “personal profile

Art Unit: 2144

database 30", wherein at least one of said use record information and said profile information includes identifying information for said terminal unit (Col 9, lines 25-40); and (Transaction requires known the identities of the terminal and the server).

selecting means for selecting provided information corresponding to said profile information written in said storing means from among provided information transmitted from prescribed information providing means (Col 6, line 65- Col 7, line 10) (Col 7, lines 55-65).

In claim 17, Dedrick teaches about a terminal unit according to claim 14, wherein

said transmitting means transmits said profile information stored in said storing means as well as said use record Information accumulated in said storing means to said profile information generating means (Col 9, lines 25-35);

said profile information writing means receives the new profile information of said user based on said use record information which is transmitted from said profile information generating means and said stored profile information, and writes said received new profile information in said storing means (Col 9, lines 25-35); and

said selecting means selects said provided information on the basis of said new profile information written in said storing means (Col 6, line 65- Col 7, line 10) (Col 7, lines 55-65).

In claim 18, Dedrick teaches about a terminal unit comprising:

use record information writing means for writing use record information used by a user in prescribed storing means detachably provided in said terminal unit (Col 5, lines 20-40);

Art Unit: 2144

profile information writing means for writing profile information of said user in said storing means “personal profile database 27”, wherein said profile information is generated by a profile information generating means “statistic compilation process 26” remote from the terminal unit on the basis of said use record information accumulated in said storing means, and wherein at least one of said use record information and said profile information includes identifying information for said terminal unit (Col 5, lines 20-40); and (The session manager has to know the identity of the terminal (IP source address) in order to setup a session between the terminal and server).

selecting means for selecting provided information corresponding to said profile information written in said storing means from among provided information transmitted from prescribed information providing means (Col 6, line 65- Col 7, line 10) (Col 7, lines 55-65).

In claim 20, Dedrick teaches about a terminal unit according to claim 18, wherein said profile information generating means generates the new profile information of said user on the basis of said profile information stored in said storing means as well as said use record information accumulated in said storing means (Col 5, lines 20-40);

said profile information writing means writes said generated new profile information in said storing means (Col 5, lines 20-40); and

said selecting means selects said provided information on the basis of said new profile information written in said storing means (Col 6, line 65- Col 7, line 10).

Art Unit: 2144

In claim 21, Dedrick teaches about an apparatus for providing information to a terminal unit remote from the apparatus, said apparatus comprising:

profile Information generating means for generating the profile information of a prescribed user on the basis of the use record information of said terminal unit of said user transmitted from said terminal unit, wherein at least one of said use record information and said profile information includes identifying information for the terminal unit (Col 5, lines 20-40) (Col 9, lines 25-35); (The session manager has to know the identity of the terminal (IP source address) in order to setup a session between the terminal and server).

transmitting means for transmitting said generated profile information to the terminal unit (Col 5, lines 20-40); and

storing means detachably provided in said the terminal unit for accumulating said use record information and said profile information (Col 5, lines 20-40) (Col 6, lines 5-15).

In claim 22, Dedrick teaches about an apparatus for providing information according to claim 21, wherein

said profile information generating means generates the new profile Information of said user on the basis of said use record information and the past profile information of said user transmitted from said terminal unit (Col 5, lines 20-40); and

said transmitting means transmits said new profile information thus generated to said terminal unit (Col 5, lines 20-40).

Art Unit: 2144

In claim 23, Dedrick teaches about an apparatus for providing information to a terminal unit remote from the apparatus, said apparatus comprising (Fig 1):

profile information generating means for generating the profile information of a prescribed user on the basis of the use record information of said terminal unit of said user transmitted from said terminal unit wherein at least one of said use record information and said profile information includes identifying information for said terminal unit (Col 5, lines 20-40); and (The session manager has to know the identity of the terminal (e.g. IP source address) in order to setup a session between the terminal and server).

storing means for storing said profile information thus generated, wherein said storing means is a storage medium detachably provided in said terminal unit (Col 5, lines 20-40) (Col 6, lines 5-15).

In claim 24, Dedrick teaches about an apparatus for providing information according to claim 23 comprising:

said profile information generating means generates new profile information of said user on the basis of said use record information and the past profile information of said user stored in said storing means (Col 5, lines 20-40); and

said storing means stores said new profile information thus generated (Col 5, lines 20-40).

In claim 25, Dedrick teaches about an apparatus for providing Information according to claim 23 further comprising:

Art Unit: 2144

selecting means for selecting information supplied to said user on the basis of the profile
Information stored in said storing means (Col 6, line 65- Col 7, line 10) (Col 7, lines 55-65) .

In claim 26, Dedrick teaches about a user information processing system according to
claim 13, wherein said server generates new profile information on the basis of said profile
information of said user and said accumulated terminal use record information (Col 6, lines 35-
50).

In claim 27, Dedrick teaches about a user information processing system
comprising:

a terminal unit adapted to accumulate terminal use record Information "client activity"
upon use of the terminal unit by a user (Col 5, lines 20-40); and

a server adapted to generate profile information of the user "personal profile" on the basis
of the terminal use record information accumulated by the terminal unit, wherein said
terminal unit is adapted to accumulate the profile information generated by said server,
and wherein at least one of said use record information and said profile information
includes identifying Information for said terminal unit (Col 5, lines 20-40).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's
disclosure.

Art Unit: 2144

US Patent No. 6,513,039 by Kraenzel teaches about a profile inferencing through automated access control list analysis heuristics.

US Patent No. 6,460,036 by Herz teaches about a system and method for providing customized electronic newspapers and target advertisements.

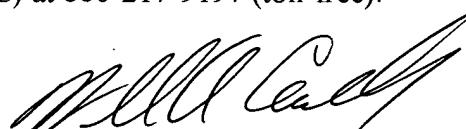
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. A. Delgado whose telephone number is (571) 272-3926. The examiner can normally be reached on 7.30 AM - 5.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM A CUCHLINSKI JR can be reached on (571) 272-3925

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


MD


WILLIAM A. CUCHLINSKI, JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2400